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The Honorable William H. Alsup
United States District Court, Northern District of California
450 Golden Gate Avenue
San Francisco, California 94102

Re: *Oracle America, Inc. v. Google Inc.*, No. 3:10-CV-03561-WHA (N.D. Cal.)

Dear Judge Alsup:

I write in response to Google's February 22 précis letter requesting leave for the parties to update their expert reports on the '702 and '205 patent validity issues to reflect the recent PTO actions.

Although Oracle maintains its objection to introducing evidence from an incomplete reexamination as being more prejudicial than probative under FRE 403, Oracle recognizes that the Court's decision on Oracle's Motion in Limine No. 1 is law of the case, and that the Court permitted supplementation with respect to the '520, '720, and '476 patents. (ECF No. 676, at 5.)

If the Court were to grant Google's current request, Oracle requests leave to respond with its own supplemental expert reports to address any arguments Google newly advances in its supplemental expert reports.

Respectfully submitted,

/s/ *Michael A. Jacobs*

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